

**FIELD ACTIVITY COVERSHEET**

<b>Region/State</b> FOWR/SFO	<b>2 Operation</b> (Check one) <input checked="" type="checkbox"/> Inspection Telephone contact _____ <input type="checkbox"/> Establishment visit <input type="checkbox"/> Investigation Other _____	<b>3 Date</b> 9/28/95
		<b>4 Number</b> 950829CER3045

**Establishment** Duncan Enterprises  
 5673 E. Shields Ave.  
 Fresno, CA 93727 Telephone 209/291-4444

**Related firm** Parent \_\_\_\_\_ Headquarters \_\_\_\_\_ Subsidiary \_\_\_\_\_ Other \_\_\_\_\_

<b>Products covered</b> GL 611 (ceramic glaze)	<b>8 Other consumer products</b>
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<b>Establishment Type</b> <input checked="" type="checkbox"/> Manufacturer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Retailer <input type="checkbox"/> Other _____	<input type="checkbox"/> Importer <input type="checkbox"/> Own label distributor <input type="checkbox"/> Repackager	<b>10 Annual production</b> Product covered \$ _____ units _____ Other products \$ _____ units _____
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<b>11 IS business</b> <input type="checkbox"/> received _____ <input type="checkbox"/> shipped _____	<b>12 Samples collected</b> T-360-8682	<b>13 MIS code</b> 33567	<b>14 Hours</b> Activity 8.0 Travel 4.0
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**15 Reason for activity**  
 F/U to consumer complaint - feels that product does not bear appropriate warning or ingredient information based on MSDS for the product.

**16 Announced**  (Rationale for announced inspection) - distance traveled  
**Unannounced**

<b>17 Employee's Name</b> Joy Rizzitello, 8953	<b>Title</b> Investigator	<b>Signature date</b> <i>J. Rizzitello</i> 10/13/95
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**18**  Endorsement \_\_\_\_\_ Remarks \_\_\_\_\_ summary \_\_\_\_\_ Other \_\_\_\_\_

<b>19 Reviewer's Name</b> James P. DiGrazia	<b>Title</b> Supervisory Investigator	<b>Signature</b> <i>James P. DiGrazia</i>
<b>20 Review Date</b> 10/16/95	<b>21 Distribution</b> O: SFRO (Compliance) cc: CRM (Toro), cc c/s: LGC, LDB	

MN/PR/LBR NOTIFIED 5/19/95  
 No Comments made  
 Comments attached  
 Excisions/Revisions  
 Film has not requested  
 further notice  
 5-19-95  
 209-291-4444

Summary of Findings:

Firm was inspected as a follow-up to a consumer complaint. Consumer's sons suffer from lead poisoning which the consumer feels is attributed to exposure to lead dust and fumes from this firm's clear ceramic glaze, GL 611.

Inspection of firm revealed that the firm is aware of this consumer's complaint, and has had contact with her. The firm feels that the consumer's unsanitary work practices have lead to her sons' lead exposure. The firm feels that GL 611 is properly labeled. Sample T-860-8682, consisting of four 4-ounce units of GL 611, was collected and sent to LSHL for chemical analysis.

Previous Inspections/Compliance History:

The firm was last inspected on 5/19/94. The firm's full product line was examined at that time by this investigator and found to be in full compliance with LLAMA.

Persons Interviewed & Individual Responsibility:

On September 28, 1995, I entered the office of Duncan Enterprises located at 5673 E. Shields Ave. in Fresno, CA. I showed my credentials and issued a Notice of Inspection to Tom Hinds, the Vice-President of Research, Development and Environmental Affairs. As determined during the last inspection, Mr. Hinds oversees the labeling of art materials program, and still continues that responsibility.

Structure and Type of Business:

The only change to corporate structure is that Gordon Van Over, VP of Marketing, has left the firm. There have been no other changes to business structure since the last inspection. To recapitulate, Duncan Enterprises is a manufacturer. Its customers are distributors. The corporation was founded approximately 45 years ago. The firm is commonly known to the public as Duncan Ceramics, which is a former company name. However, the firm does business as Duncan Enterprises. The Fresno location houses the corporate offices, warehouse, distribution center, manufacturing facility, and a retail outlet

Duncan Enterprises  
Fresno, CA  
EIR 9/28/95 JR

which distributes directly to consumers. The firm has another retail outlet located in Van Nuys, California. The firm is not a parent or subsidiary of any other company. It employs approximately 325 people.

Corporate officers are as follows:

President:	Larry Duncan	Active
Vice-President/Research:	Tom Hinds	Active
Vice-President/Manufacturing:	Lee Sneller	Active
Vice-President/Marketing & Sales:	Greg Joseph	Active
Vice-President/Finance:	Doug Morgan	Active
Secretary/Treasurer:	Doug Morgan	Active

All CPSC correspondence is to be addressed as follows:

Duncan Enterprises  
Attn: Tom Hinds/Vice-President  
5673 E. Shields Ave.  
Fresno, CA 93727  
Tel: 209/291-4444  
Fax: 209/291-9444

Complaint File:

Mr. Hinds said that any telephone calls received by customer service concerning lead are turned over to him. I gave Mr. Hinds a copy of the consumer's complaint (attached to assignment), and he said that he is very aware of her complaint because he has spoken to her personally. He recalls that the consumer told him that her work studio was located on the porch of her house. She made ceramic masks, approximately 100 pieces per day. She applied the GL 611 glaze by spraying it. Mr. Hinds advised her not to spray this product, as cautioned on the label. She responded by stating she was very careful when spraying this product. The matter is currently under investigation by the firm's product liability insurance company, Globe Insurance. According to Mr. Hinds, the insurer has spoken with the local health department inspector, who revealed that the consumer has had two properties condemned as a result of lead contamination which was due to the consumer's unsanitary work practices. Mr.

Hinds suggests that the CPSC investigator who investigated the consumer's complaint should also contact the local health department in order to obtain a better perspective on the matter. He also noted that the consumer reported that GL 611 was available in a 40 ounce tube. Mr. Hinds reports that GL 611 is not available in a tube or a 40 ounce size, and he feels that the consumer may be confusing the GL 611 with a competitor's product. CPSC information revealed that there was no batch code on the consumer's product. Since Duncan stamps all lead products with a batch code, he questions whether her product was from their lead-free product line, or again from a competitor. The insurer has no documentation available at present of this incident available for CPSC. Duncan also has not transcribed this consumer's complaint. Mr. Hinds also does not agree with the consumer that the GL 611 product is improperly labeled.

Mr. Hinds receives about one telephone call per year relating to their lead product line. Some calls are from pregnant woman asking if they should use lead-based glazes, and he advises them not to. Other callers tell him that they want to spray this glaze, and he advises them not to spray lead-based glazes but rather use a leadless glaze for spraying. He had received calls from consumers that they have put the glaze in food containers, and a child has ingested the glaze. He advises them to call poison control, and he responds later with a follow-up telephone call on the victim's progress, none of which has resulted in death or permanent disability. Mr. Hinds had not transcribed any of these telephone calls, and he had no available information on consumer names.

Mr. Hinds recalls that there have been about three insurance claims settled over the past ten years regarding consumers spraying of lead-based glazes. He said that this was based on the consumers misuse of the product. There have been no court cases or settlements. Mr. Hinds will obtain details of insurance settlements from their insurer, and that information will be forwarded upon receipt.

Product Guarantees and Certification:

The art materials are all reviewed by qualified and board certified toxicologists, and upon toxicological approval, the firm then labels its products with the ASTM conformance

statement.

The firm uses the following toxicologist:

Dr. John Clary - Bio-Risk  
P.O. Box 2326  
Midland, MI 48640

Product Line:

The firm's product line consists of craft materials such as ceramic hobby supplies and acrylic paints. A product line catalog is attached as exhibit 1.

Annual sales volume is \$40 to 45 million at an estimated 30 - 35 million units. Annual sales volume for the GL 611 is estimated by Mr. Hinds to be \$100,000 at 150,000 units.

Product Examination/Labeling:

The entire product line was reviewed during the 1994 inspection and they were all labeled with the ASTM D-4236 conformance statement.

An examination of the the product involved in the incident, GL 611, reveals the front panel labeling as follows: "CAUTION CONFORMS TO ASTM D-4236" and "HARMFUL IF SWALLOWED. DON'T use on surfaces which contact food or drink. See Warning." The back panel states "WARNING: CONTAINS LEAD SILICATE. When using don't eat, drink or smoke. \*\*\* Ingestion may cause anemia; nervous system or kidney changes; or harm to fetus. Not for spray application by hobbyist. Commercial users write Duncan Enterprises for safety instructions before spraying. Keep out of reach of children. \*\*\*". A label for GL 611 is attached as exhibit 2.

Quality Control and Testing Program:

The firm's quality control is conducted on the premises and consists of a batch by batch examination of its color products for quality of color viscosity, weight and performance.

Toxic quality control is conducted if specified by the qualified

toxicologist, as per his evaluation of an individual product. Quality Control specifications are then determined by the toxicologist.

Components and Raw Materials:

The main material for the GL 611 Ultraclear Gloss Glaze is water. The next main component is Frit 2701, which is a lead calcium silicate, according to Mr. Hinds. The Frit 2701 is supplied by Ferro Mexicana, 171 Oriente No. 450 Col. Aragon Cables Fernan-Mex., 07490 Mexico, D.F.

Manufacturing Operations:

The firm's main product line of acrylic paints and ceramic glazes are manufactured on the premises.

I toured the manufacturing plant during the 1994 inspection and viewed the large scale paint/glaze production area, storage, bottling, labeling, and distribution areas.

During this current inspection, I walked through the production area to get to the storage area in order to obtain the samples of GL 611. There was no production of GL 611 on this day.

Product Codes:

The only coding system is for the lead based products, which have a batch code stamped on the bottom of the jar. The non-lead based products do not have a coding system.

Distribution:

The firm distributes throughout the U.S. Approximately 95% is shipped outside the state of California. Method of distribution is via common truck.

Recall System:

Records are computerized, and in the event of a recall the firm can trace shipments to their distributors. The lead based product line, because of its product code, can be tracked to a specific batch.

Promotion and Advertising:

The firm advertises via point of purchases displays, catalogs, magazines, and flyers.

Discussion with Management:

Mr. Hinds feels that GL 611 is properly labeled. As revealed during the last inspection, the firm is very aware of the labeling requirements under section 23 of the FHSA. Mr. Hinds stated at that time that he is aware that art material, both toxic and nontoxic, must be labeled with the ASTM D-4236 conformance statement. He is aware that if the product poses a chronic hazard, that it must have appropriate cautionary labeling. He is also aware that the product must be reviewed by a qualified toxicologist, and that the toxicologist must submit the criteria used for that review to CPSC. Mr. Hinds stated that he stays on top of the regulations, and that he was on the board when the ASTM standard was being developed, and several of his employees have worked on the development of the ASTM standard.

Mr. Hinds supplied the following for the GL 611: MSDS (exhibit 3), toxicological review (exhibit 4), quantitative formula (exhibit 5), quantitative formula for Frit 2701, which is the main component part of GL 611 (exhibit 6). Mr. Hinds reports that there have been no formulation changes to the GL 611.

Samples Collected:

T-860-8682, consisting of four 4-ounce units of GL 611 Ultraclear Gloss Glaze, was collected and sent to LSHL for chemical analysis.

Exhibits:

1. Product line catalog.
2. Product label for GL 611.
3. MSDS for GL 611.
4. Toxicological review of GL 611,
5. Quantitative formula for GL 611.
6. Quantitative formula for Frit 2701 (main component of GL611).

**U.S. CONSUMER PRODUCT SAFETY COMMISSION  
NOTICE OF INSPECTION**

<b>1. DATE</b> 9/21/95	<b>3. FROM (Area Office and Address)</b> CPSC 600 Harrison St. 2nd Fl. San Francisco, CA 94107
<b>2. TIME</b> 1:20 P.M.	

<b>4. TO</b>	<b>A. NAME AND TITLE OF INDIVIDUAL</b> Tom Hinds / VP of Research Dev + Commercial Affairs
	<b>B. FIRM NAME</b> Duncan Enterprises
	<b>C. NUMBER AND STREET ADDRESS</b> 5673 E. Shields Ave
	<b>D. CITY, STATE AND ZIP CODE</b> Fresno, CA

Notice of Inspection is hereby given pursuant to:

- Flammable Fabrics Act (15 U.S.C. 1191 *et seq.*);
- Federal Trade Commission Act (15 U.S.C. 41 *et seq.*);
- Sections 16, 19 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065, 2068 and 2076)
- Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) [Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 *et seq.*)] and/or
- Section 11(b) of the Federal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)).

Refer to the back of this form for a discussion of inspectional authority and for pertinent statutory language.

**5. PURPOSES OF INSPECTION AND INFORMATION TO BE OBTAINED AND/OR COPIED.**



information: to review and obtain copies of items including but not limited to; and labeling; and to obtain samples, in order to enforce or deterred by the Consumer Product Safety Commission.

Tom Hinds  
Vice President  
Research, Development  
& Environmental Affairs

**DUNCAN ENTERPRISES**  
5673 E. Shields Avenue  
Fresno, CA 93727 USA  
(209) 291-4444, ext 401  
FAX (209) 291-9444  
1-800-237-2642

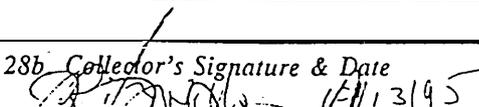
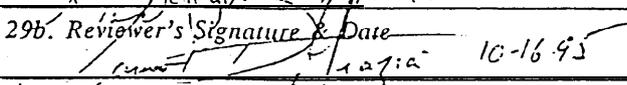
**6. FREEDOM OF INFORMATION REQUIREMENTS**

Those from whom information is requested should state whether any of the information submitted is believed to contain or relate to a trade secret or other matter which should be considered by the Commission to be confidential and whether any of the information is believed to be entitled to exemption from disclosure by the Commission under the provisions of the Freedom of Information Act (15 U.S.C. 552). Any statement asserting this claim of confidentiality must be in writing, and any request for exemption of the information from disclosure must be made in accordance with the Commission's Freedom of Information Act regulations. 16 CFR Part 1015.

**7. SIGNATURE (Authorized CPSC Official)**  
*[Handwritten Signature]*

*[Large handwritten mark]*

**U.S. CONSUMER PRODUCT SAFETY COMMISSION**  
**SAMPLE COLLECTION REPORT**

<b>Flag</b>			<b>2. Date Collected</b> 9/28/95		<b>3. Sample type &amp; number</b> [X] <b>Physical</b> T-860-8682 [ ] <b>Documentary</b>	
<b>4a. Product Name</b> Ultraclear Gloss Glaze (ceramic)		<b>4b. Model</b> GL 611	<b>4c. NEISS</b> 0514		<b>5. Assignment Ref.</b> 950829CER3045	
<b>6. Complete for Import Samples</b>			<b>7. MIS</b> 33567		<b>8. Hours: --</b> <b>a. Activity</b> [ 3.0 ] <b>b. Travel</b> [ 0 ]	
<b>a. Port of Entry :</b>			<b>9a. Home RO</b> FOWR-SRO		<b>9b. Collecting RO</b> FOWR-SFRO	
<b>b. Entry # &amp; Date:</b>						
<b>c. country of Origin:</b>						
<b>d. HSUSA Code :</b>						
<b>e. Customs Contact:</b>						
<b>10. Sample Cost</b> N/C		<b>11. Invoice Value of Lot</b>			<b>12. Size of Lot</b>	
<b>13. Manufacturer</b> Duncan Enterprises 5673 E. Shields Ave. Fresno, CA 93727 ID #		<b>14. Foreign Mfr. of Frit. 2701:</b> Ferro Mexicana Cables Fernam-Mex  ID #			<b>15. Dealer</b>  same as #13  ID #	
<b>16. Supporting documents attached:</b> <b>a. Invoice # &amp; Date:</b> 1477 dated 5/30/95 <b>b. Date Shipped:</b> 6/6/95 <b>c. Shipping Record # &amp; Date:</b> B/L #CFM036869 dated 6/6/95 <b>d. Affidavit Signer's Name, Title &amp; Date:</b> Thomas Hinds/VP/g-28-95						
<b>17. Product Identification:</b> Product is a jar of ceramic glaze labeled in part "DUNCAN GL 611 Ultraclear GLOSS GLAZE CAUTION CONFORMS TO ASTM-D-4236 *** 4 FL OZ **** WARNING: CONTAINS LEAD SILICATE. *** DUNCAN Fresno, CA 93727 Made in USA (209) 291-4444. Batch code stamped on bottom of jar states "89602". UPC number is "17754 91253".						
<b>18. Reason for Collection &amp; Analysis Needed:</b> <b>FHSA</b> [x] <b>CPSA</b> [ 1 ] <b>FFA</b> [ ] <b>PPPA</b> [ ] <b>RSA</b> [ ] Chemical Analysis						
<b>19. Summary of Field Screening:</b> none						
<b>20. Sample Size, Method of Collection:</b> Sample consists of 4 units collected from warehouse inventory. Sample identified as per item #21, placed in plastic bag with official seal, and sent to Health Sciences Lab via Sample Custodian. Sample in locked storage until officially sealed.						
<b>21. Identification on Sample:</b> "Sub 1...4 T-860-8682 10/13/95 JR"			<b>22. Identification on Seal:</b> "T-860-8682 10/13/95 Joy Rizzitello"			
<b>23a. Sample Delivered To:</b> UPS, San Francisco		<b>23b. Date</b> 10/13/95		<b>24. Orig. Report/Records Sent To:</b> FOWR-SFRO		
<b>25. Laboratory/Office :</b> LSEL [ ] LSHL [ XX ] HSPS [ ] CRM [ ] CECA [ ] OTHER [ ]						
<b>26. Remarks:</b> Official documentation - attd. KSDS, quantitative formula for glaze and main component part (Frit 2701) - attd.						
<b>27. Related Samples:</b> none						
<b>28a. Collector's Name, Title &amp; Employee #</b> Joy Rizzitello/Investigator/8953			<b>28b. Collector's Signature &amp; Date</b>  10/13/95			
<b>29a. Reviewer's Name, Title &amp; Employee #</b> Jim DiGrazia/Supervisor/Investiator			<b>29b. Reviewer's Signature &amp; Date</b>  10-16-95			
<b>Distribution :</b> Original [ ] Lab [ ] Fiscal [ ] Data [ ] Hdqtr [ ] Other [ ]						

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# Duncan Color

1995 Edition

English • Français

Deutsch • Español



*Make it Easy. Make it Fun. Make it Duncan!*

*Duncan*

Duncan

Exhibit 2

Product Label

**DUNCAN**

**GL 611**  
UltraClear<sup>®</sup>

**GLOSS GLAZE**

**CAUTION** HARMFUL IF SWALLOWED.  
DON'T use on surfaces which contact food or drink. See Warning.

CONFORMS TO ASTM D-423

4 FL OZ (118 ml)

Fresno, CA 93727 • Made in USA • (209) 291-4444

0 17754 91253 4

Duncan

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Exhibit 3  
MSDS for GL 611  
ULTRACLEAR GLAZE



MATERIAL SAFETY DATA SHEET

Identity

MSDS # 101

Duncan AN 300 Series; AR 600 and 700 Series; DN 802, 803, 805, 812, 815, 820, 821, 823, 824, 825, 830 and 831; GL 600 and 700 Series; GO 100 and 300 Series; SY 546; SY 553; SY 554; 20000 Series  
Duncan Dipping Glaze AR 600 and 700 Series; GL 600 and 700 Series

SECTION I

Manufacturer's Name

Duncan Enterprises

Address

5673 E. Shields Ave.  
Fresno, CA 93727

HMIS Codes

Health 3            Reactivity 0  
Fire 0                Protective Equip. F  
                          (if spraying)

Emergency Telephone Number

(209) 445-1222

Telephone Number

(209) 291-4444

Date Prepared

July 1987

Revised

May 1995

Prepared By

Scott Mattison

SECTION II  
HAZARDOUS INGREDIENTS

Hazardous Components	OSHA PEL	ACGIH TLV	CAS #	%
Silica, Crystalline-Quartz	1.5 mg/m <sup>3</sup>	1.0 mg/m <sup>3</sup>	14808-60-7	Up to 8

Frit is a fused silicate glass substance. The components of this glass product listed below are from the inventory of potentially hazardous substances referenced by FED/OSHA in 29 CFR 1910.1200.

Components	OSHA PEL	ACGIH TLV
Lead compounds, as Pb	0.05 mg/m <sup>3</sup>	0.15 mg/m <sup>3</sup>
Barium compounds, as Ba	0.5 mg/m <sup>3</sup>	0.5 mg/m <sup>3</sup>

Other Information

Frits are produced from the chemical reactions which occur during the high temperature smelting of various raw materials to form a molten glass. This glass is rapidly cooled and then ground to produce powdered frit. The lead listed for this product is incorporated into the glass structure of the frit, chemically reacted in the form of silicates of other essentially insoluble complexes. Exposure to the hazardous ingredients can occur if spray mist is inhaled or glaze ingested and the ingredient dissolves out of the glass. Because of the chemical stability of frit and its resistance to attack by acids or alkali, this is anticipated to occur very slowly. This product contains the following component(s) that require reporting under Section 313 of the Emergency Planning and Community Right-to-Know Act, also known as Title III of SARA (the Superfund Amendments and Reauthorization Act), and 40 CFR Part 372:

COMPONENT	PERCENT PRESENT <sup>(a)</sup>
Lead compounds	Up to 28% (as PbO)
Barium compounds	Up to 5% (as BaO)

(a) The percent reported is based on the theoretical composition of this frit. While existing in theory, the component(s) mentioned are only present as part of FRIT (CAS#65997-18-4\*).

SECTION III  
PHYSICAL DATA

Bolling Point, (DEG°F)	212°F	Vapor Pressure, (MM HG.)	n/a
Melting Point, (DEG°F)	1800°F	Vapor Density (AIR=1)	n/a
Specific Gravity (Water=1):	1.7	Water Solubility, %	Insoluble
Appearance And Odor	Colored liquid. Odorless	Freezing Point	n/a
pH	n/a	Evaporation Rate (Butyl Acetate=1)	n/a

SECTION IV  
FIRE AND EXPLOSION HAZARD DATA

Flash Point (Method Used)	n/a	Flammable Limits	LEL n/a	UEL n/a
Extinguishing Media	n/a			

- DUNCAN

CERTIFIED PRODUCTS AND CERTIFIED LABELING BUREAU  
OF  
THE ART AND CRAFT MATERIALS INSTITUTE, INC.

REQUEST FOR AUTHORIZATION TO USE THE \_\_\_\_\_ CP SEAL  
\_\_\_\_\_ AP SEAL  
 X  CL STATEMENT

Exhibit 4

Toxicological Review of  
GL 611 Ultraclear Glaze

ON Duncan Gloss Glazes\* (Trade Name)  
Ceramic Glaze (Product Type)

\*Except GL628 and GL653<sup>f</sup>

We request authorization to use the \_\_\_\_\_ CP Seal  
\_\_\_\_\_ AP Seal on the above product as follows:  
 X  CL Statement

X  As a new product. Attached are:

- 1.) The Institute blue copy of the Toxicologist's approval form
- 2.) A statement that the fees of the Toxicologist have been paid
- 3.) For the CP Seal, a copy of an accredited commercial lab report indicating that the product meets the requirements of ANSI Z \_\_\_\_\_ and a statement that the laboratory fees have been paid
- 4.) For the CL Statement, a statement that the Toxicologist's labeling requirements are being met.

\_\_\_\_\_ As a previously-approved product with a \_\_\_\_\_ new name  
\_\_\_\_\_ new color to maintain the same  
certification. Attached are: \_\_\_\_\_ formula change

- 1.) The Institute blue copy of the Toxicologist's approval form
- 2.) A statement that the fees of the Toxicologist, if any, have been paid
- 3.) For the CP Seal, a notarized statement that the requirements of ANSI Z \_\_\_\_\_ continue to be met
- 4.) For the CL Statement, a statement that the Toxicologist's labeling requirements continue to be met.

\_\_\_\_\_ As a previously-approved product to qualify for a different certification.  
Attached are:

- 1.) The Institute blue copy of the Toxicologist's approval form
- 2.) A statement that the fees of the Toxicologist, if any, have been paid
- 3.) For the CP Seal, a copy of an accredited commercial lab report indicating that the product meets the requirements of ANSI Z \_\_\_\_\_ and a statement that the laboratory fees have been paid
- 4.) For the CL Statement, a statement that the Toxicologist's labeling requirements are being met.

Signed Tom Vesels

Date 2-6-86

Company Duncan Enterprises

CONFIDENTIAL

CERTIFIED PRODUCTS AND CERTIFIED LABELING BUREAU  
OF  
THE ART AND CRAFT MATERIALS INSTITUTE, INC.

REQUEST FOR TOXICOLOGIST'S APPROVAL

Date 3-29-85

New Product

Name Change

Formula Change  
(Underlined Below)

Formula Number \*See Below

Type of Product Ceramic Glaze

Brand Name Duncan Gloss Glaze

CP  AP  CL

Color (s) \*See Below

LIST OF ALL INGREDIENTS:

Trade Name	Chemical Name	Color Index No.	%
[REDACTED]			

ange,  
ed,  
lor Res  
l

der,

The name and address of manufacturers of ingredients not previously approved are attached.

Company Duncan Enterprises -Signature \_\_\_\_\_

TOXICOLOGIST'S ACTION

Approved: Yes  No

Comments: See below

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
14

Signed \_\_\_\_\_ Date 3/29/85

WHITE - TOXICOLOGIST

GREEN - COMPANY

BLUE - INSTITUTE

YELLOW - FILE COPY

# Duncan<sup>®</sup>

## enterprises

CORPORATE HEADQUARTERS & GENERAL OFFICES • 5673 E. SHIELDS AVE., FRESNO, CA 93727 • U.S.A. • 209/291-4444 • CABLE: DUNCANENT • TELEX 364412 INTR



CERAMIC PRODUCTS DIVISION  
P.O. BOX 7827  
FRESNO, CA 93747



ARTS & CRAFTS DIVISION  
P.O. BOX 8157  
FRESNO, CA 93747



GLAZES & EQUIPMENT DIVISION  
P.O. BOX 7609  
FRESNO, CA 93747



PUBLISHING DIVISION  
P.O. BOX 8126  
FRESNO, CA 93747



DUNCAN EXPORTS, INC.  
A WHOLLY OWNED SUBSIDIARY  
P.O. BOX 7827  
FRESNO, CA 93747



HOBBY & CRAFTS CENTER  
P.O. BOX 7827  
FRESNO, CA 93747

February 7, 1986

The Art and Craft Materials  
Institute, Inc.  
715 Boylston Street  
Boston, Massachusetts 02116

To Whom This May Concern:

In request for the authorization of the CL Statement, please be advised that all the Toxicologist's labeling requirements are being met.

Sincerely,

Tom Hinds  
Vice President  
Research and Development

TH:sd

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PRODUCT NAMES FOR CERAMIC GLAZES REQUESTING AP SEAL

GL 628 Hawaiian Blue  
GL 653 Downright White

PRODUCT NAMES FOR CERAMIC GLAZES REQUESTING CL STATEMENT

GL600	Buttercup Yellow	GL650	Pansy
GL601	Marigold Yellow	GL651	Wine
GL602	Orange	GL652	Grape
GLG04	Leaf Green	GL655	Lemon Peel Glace
GL608	Turquoise	GL656	Parrot Green Glace
GL609	Emerald Green	GL657	Orange Peel
GL609D	Emerald Green Dipping	GL658	Tiger Lily
GL611	Ultraclear	GL659	Zinnia
GL611D	Ultraclear Dipping	GL661	Basque Blue
GL613	Black	GL662	Castilian Avocado
GL613D	Black Dipping	GL663	Holly Green
GL614	Matador Red	GL664	Milk Glass
GL615	Mahogany Brown	GL665	Golden Yellow
GL617	Clear Brushing	GL666	Walnut Brown
GL618	Blue White	GL667	Caramel
GL619	Black Luster	GL668	Tender Green
GL621	Shell Pink	GL669	Bottle Green
GL622	Camellia Pink	GL670	Sun Yellow
GL623	Rose Pink	GL671	Green Mint
GL624	Turkish Coffee	GL672	Evergreen
GL626	Royal Ruby	GL673	Espresso
GL627	Clear Black	GL674	Mushroom
GL629	Ivory Belleek	GL675	Straw
GL630	Gull Grey	GL676	Aegean Blue
GL631	Chinese Red	GL678	Cardinal Red
GL632	Tangerine	GL679	Royal Danish
GL634	Royal Blue	GL681	Dark Walnut
GL636	Golden Honey	GL750	Yellow Rose
GL637	Christmas Red	GL751	Light Spearmint
GL638	Opaque White	GL752	Blue Ivory
GL639	Apple Green	GL753	Royal Oak
GL640	-Foliage Green	GL755	Terra-Cotta
GL642	Desert Tan	GL756	Bone
GL643	Golden Maple	GL757	Chowder
GL644	Spanish Brown	GL758	Apricot
GL645	Bronze	GL759	Pastel Peach
GL646	Tahiti Blue	GL760	Dry Champagne
GL647	Baby Blue	GL761	Coconut
GL648	Catalina Blue	GL762	Banana Cream
GL649	Tropic Green	GL763	Harvest Gold

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PRODUCT NAMES FOR CERAMIC GLAZES REQUESTING 'CL STATEMENT

GL764	Fresh Salmon	AR704	Golden Bronze
GL765	Blue Carnation	AR705	Frosted Eggnog
GL766	Mint Blue	AR706	Butternut .
GL767	Burnt Sugar	AR707	Pewter
GL768	Apricot Frappe	AR709	Smoky Silver
GL769	Peach Cream	AR710	Toffee
GL770	Blue Mist	AR712	Honeynut
GL771	. Parrot Grey	AR713	Celadon
GL772	Christmas Tree Green	AR714	Starflame Yellow
GL773	Pistachio Cream	AR715	Galaxy Gold
GL774	Sesame	AR716	Nova Orange
GL775	Pale Mustard	AR717	Rocket Red
GL776	Blushed Beige	AR718	Strawberry Malt
GL777	Apple Butter	AR719	Brown Sterling
GL778	Seafoam	AR720	Wild Wheat
GL779	Wedgwood Blue	AR721	Robin Egg Blue
GL780	Teddy Bear Brown	AR722	Bits O' Spring
GL781	Pumpkin Orange	AR723	Mushroom Spice
GL781D	Pumpkin Orange Dipping	AR724	Cashmere
GL782	Wicker	AR725	Cinnamon Tweed
GL783	Oahue Blue	AR726	Grey Flannel
GL784	Midnight Blue	AR727	Amber
GL785	Purple Iris	AR728	Red
GL786	Dusty Mauve	AR729	Oatmeal Spice
GL787	Wine Cooler	AR730	Divinity Chip
GL788	Coral Rose .	AR731	Palomino Spice
GL789	Basket Brown	AR732	Poppy Seed
		AR733	Wintergreen
DP400	Clear Dipping	AR734	Pumpkin Spice
		AR735	Butter Spice
AR603	Autumn	AR736	Chowder Spice
AR610	Maplewood		
AR612	Cinnamon Brown		
AR620	Rusty Amber		
AR629	Maple Sugar		
AR693	Mint Spice		
AR694	Spiced Honey		
AR695	Fox Fur		
AR696	Green Bamboo		
AR697	Eggnog		
AR638	English Tweed		
AR699	Red Jasper		
AR701	Blue Denim		
AR701D	Blue Denim Dipping		
AR702	Frosted Walnut		
AR703	Beanpot Brown		
AR703D	Beanpot Brown Dipping		

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# THE ART AND CRAFT MATERIALS INSTITUTE INC.

715 Boylston St., Boston, MA 02116 Tel. (617) 266-6800

February 21, 1986

Mr. Thomas Hinds'  
Duncan Enterprises  
5673 E. Shields Avenue  
Fresno, CA 93727

**Authorization for Use of  
CP or AP or CL Seal**

**Gentlemen:**

According to the latest revision of the Manual of Procedure of the Certified Products and Certified Labeling Bureau of The Art and Craft Materials Institute, Inc., the Institute has received the following:

- (1) Your request for authorization for use of the CP or AP or CL Seal on your products listed below, a signed Institute copy of the Toxicologist's Approval form and an affidavit that fees for the Toxicologist and testing lab (if any) have been paid;
- (2) For the CP Seal, a testing lab report that the product(s) meet or exceed the requirements of the appropriate Product Standard; and
- (3) For the CL Seal, a notarized statement that the labeling requirements specified by the Toxicologist are being met.

Upon finding compliance in full with the Bureau procedures, the Institute hereby authorizes you to use the following Seal:

<u>PRODUCT</u>	<u>CERTIFICATION</u>	<u>BRAND NAME</u>	<u>COLOR</u>
Ceramic Glazes	CL	Art Glazes	AR603-AR736 as attached
Ceramic Glazes	CL	Dipping Glazes	GL609D, GL611D, GL613D, GL781D, DP400, AR701D, AR703D,
Ceramic Glazes	AP	Gloss Glazes	GL628 & GL653 *
Ceramic Glazes	CL	Gloss Glazes	GL600-GL789 as attached

This authorization will be for this calendar year and may be renewed upon your obtaining permission for the continued use of the Seals annually in accordance with Bureau procedures.

The use of the Seals on any other than the specifically-authorized products shall immediately result in the loss of the privilege to use the Seals on any and all items. The authority for the use of the Seals automatically terminates should any of the conditions present at the granting of the privilege change. This permission to use the Seals is neither assignable nor transferable. Since the Seals are to become Registered Certification Marks, the initials TM must appear to the bottom right of these Seals, wherever they appear.

Sincerely,



Deborah M Fanning, CAE  
Executive Vice President

cc: W. Stopford

\* with stipulation "Not for spray application"

111ary - 701  
 AUG 11 1995  
 CONSUMER PRODUCT INCIDENT REPORT

1. NAME OF RESPONDENT Sherrell Duggan	2. PHONE NO. (HOME) (WORK) 504-393-0744 none
3. STREET ADDRESS 3317 Beech Dr.	4. CITY STATE ZIP CODE Gretna LA 70056

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
 Sons were taken to medical center, Kid West, for a routine physical and were both diagnosed with lead poisoning; sons still suffer from lead poisoning. 3 year old son has also been diagnosed with a pervasive developmental disorder (organic brain damage) caused by lead poisoning. 6/93  
 Environmental sanitation inspector, Frank Allo, from the Environmental Health Agency inspected consumer's house and said that lead dust and fumes  
 -cont-

6. DATE OF INCIDENTS 5/93	7. IF INJURY OR NEAR MISS OBTAIN AGE/SEX AND DESCRIBE INJURY: 7 Y/M see narrative	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP Richard III son
------------------------------	---	---

9. DESCRIPTION OF PRODUCT ceramic glaze	10. BRANDNAME Duncan
--	-------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Duncan Ceramics /Duncan Enterprises unknown unknown, CA 00000 800-Ceramics unknown unknown unknown	12. MODEL, SERIAL NUMBERS GL611, Clear	13. DEALER'S NAME, ADDRESS & PHONE Dell's Ceramics (out of business) unknown New Orleans, LA 00000 504-241-4567
---	---	---

*54773 E. 4 Shield  
Fresno, CA 93727  
P.O. Box 7827  
Fresno CA 93727  
209-291-4444*

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES NO x IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW x USED DATE PURCHASED 1988 AGE 5 yrs.
---	---

16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown
--

17. HAVE YOU CONTACTED THE MANUFACTURER? YES x NO IF NOT, Do YOU PLAN TO CONTACT THEM? YES NO OTHER?	18. IS THE PRODUCT STILL AVAILABLE? YES x NO IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES x NO
--	--	---

FOR ADMINISTRATION USE		
20. DATE RECEIVED 08/04/95	21. RECEIVED BY (NAME & OFFICE) tca/HL	22. DOCUMENT NO. H9580059A

23. FOLLOW-UP ACTION	24. PRODUCT CODE(S) 0514
----------------------	-----------------------------

25. DISTRIBUTION	26. ENDORSERSNAME & TITLE <i>08/8/95</i>
------------------	---

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CONSUMER PRODUCT INCIDENT REPORT

H9580059A

Narrative Continued

~~from ceramic glaze produced when firing ceramics in kiln had contaminated whole house; consumer had to evacuate house. Consumer feels that warning label on glaze should state fumes and dust produced by glaze during firing is harmful to children.~~

6/93 Consumer called and explained problem to manufacturer's customer service rep., (name unknown), who said lead in glaze is in a silicate form and could not have caused lead poisoning and offered no assistance.

6/93 Consumer called and explained problem again to manufacturer's customer service rep., (name unknown), and requested a material safety data sheet on glaze; manufacturer did this 7/93. Consumer found from data sheet that over exposure to lead in glaze through inhalation or ingestion can cause damage to kidneys, central nervous system, and developing fetus. Glaze comes in a hard plastic 40 oz. tube, and in a 1 gallon or 5 gallon hard plastic bucket.

Vict #	Sex	Age	Name	Relationship
2	M	3	Y Jordan	son

Vict #	Victim Injury Description
2	see narrative

Distributor phone #: unknown

CPSC Source: WOM

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**FIELD ACTIVITY COVERSHEET**

*Mary*

<b>1 Region/State</b>  FOWR/SFO	<b>2 Operation</b> (Check one) <input type="checkbox"/> Inspection <input type="checkbox"/> Establishment visit <input type="checkbox"/> Telephone contact <input type="checkbox"/> Investigation <input checked="" type="checkbox"/> Other: follow-up to inspection	<b>3 Date</b> 11/1/95  <b>4 Number</b> 950829CER3045
---------------------------------------	---	--

**5 Establishment** Duncan Enterprises  
 5673 E. Shields Ave.  
 Fresno, CA 93727      Telephone 209/291-4444

**6 Related firm**       Parent       Headquarters       Subsidiary       Other

<b>Products covered</b> GL 611 (ceramic glaze)	<b>8 Other consumer products</b>
---	----------------------------------

<b>9 Establishment Type</b> <input checked="" type="checkbox"/> Manufacturer <input type="checkbox"/> Importer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Own label distributor <input type="checkbox"/> Retailer <input type="checkbox"/> Repackager <input type="checkbox"/> Other	<b>10 Annual production</b> Product covered \$ _____ units _____ Other products \$ _____ units _____
--	--

<b>11 IS business</b> % received _____ % shipped _____	<b>12 Samples wllected</b>	<b>13 MIS code</b> 33567	<b>14 Hours Activity 1.¢</b> Travel
--	----------------------------	-----------------------------	--

**15 Reason for activity**  
 follow-up information received

**6 Announced**  (Rationale for announced inspection)  
**Unannounced**

<b>7 Employee's Name</b> Joy Rizzitello, 8953	<b>Title</b> Investigator	<b>Signature date</b> <i>[Signature]</i> 11/1/95
--	------------------------------	---

**18**  Endorsement       Remarks       Summary       Other

The law firm representing Duncan Enterprises has supplied information regarding two pending court actions. McClendon V. Duncan is known to CPSC and is the incident which prompted the recent inspection of firm. Witt v. Duncan - complaint filed 4/12/93 in West Palm Beach, FL - plaintiff and fetus suffered lead poisoning while using Duncan glazes and paints. Evidence suggests that she worked without taking proper safety precautions, and she may have abused alcohol and drugs. See attached letter dated 10/13/95 from Russell G. Vanrozeboom of the law firm Wild, Carter & Tipton, 246 West Shaw Ave., Fresno, CA 93704.

<b>19 Reviewer's Name</b> James P. DiGrazia	<b>Title</b> Supervisory Investigator	<b>Signature</b> <i>[Signature]</i> DiGrazia
--	--	---

<b>20 Review Date</b> 11-2-95	<b>21 Distribution</b> O: SFRO [Compliance]      cc: CRM      cc: LGE.
----------------------------------	---

WILD, CARTER & TIPTON  
A Professional Corporation  
ATTORNEYS AT LAW  
FOUNDED IN 1893  
246 WEST SHAW AVENUE  
FRESNO, CALIFORNIA 93704

Reply to: Fresno

Our File No.:

RUSSELL G. VANROZEBOOM

P. O. BOX 16339  
Fresno, California 93755-6339  
Telephone: (209) 224-2131  
Facsimile: (209) 224-8462

Clovis office  
657 Scott Avenue  
Clovis, California 93612  
Telephone: (209) 299-4341  
Facsimile: (209) 299-0920

October 13, 1995

U.S. Consumer Product  
Safety Commission  
600 Harrison Street, Room 245  
San Francisco, CA 94107-1370

Attention: Joy Rizzitello,  
Investigator

Re: Duncan Enterprises

Dear Ms. Rizzitello:

The undersigned and this law firm monitor the civil litigation involving Duncan Enterprises (Duncan). Tom Hinds of Duncan has asked me to respond to your inquiry regarding pending court actions against Duncan which involve allegations of lead poisoning. Presently, there are two such actions pending as follows:

On April 12, 1993, a complaint was filed in West Palm Beach, Florida, entitled Witt v. Duncan Enterprises. The central contention in this action is that plaintiff and her fetus suffered lead poisoning as a result of plaintiff's handling of glazes and paints while she worked as a pottery artisan. It is asserted that some or all of these glazes and paints were manufactured by Duncan.

Duncan has denied liability, and is defending the suit with Florida counsel. There is evidence to suggest that although plaintiff was aware of the applicable safety precautions, she often worked without being properly gloved or masked. Further, there is evidence to suggest that plaintiff abused alcohol or drugs, or both, during her

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WILD, CARTER & TIPTON

U.S. Consumer Product Safety Commission  
October 13, 1995  
Page 2

pregnancy which substantially contributed to the medical problems now facing her offspring.

On May 25, 1994, a complaint was filed in Jefferson, Louisiana, entitled McClendon v. Duncan Enterprises. The primary claim is that plaintiff's minor children suffered lead poisoning as a result of exposure to paints, glazes and dust. Investigation has revealed that plaintiff and her husband operated a studio out of a bedroom in their home without taking any precautions to seal off the studio from the rest of the house. Apparently, the studio door was left open and a baby-gate was used to keep the children out. Local health officials also determined that the parents tracked dust from the studio throughout the house. Despite warnings from local health officials, plaintiff and her husband failed to take appropriate remedial action. The source of the lead in the dust is the subject of investigation. Duncan has denied liability and is defending the action through Louisiana counsel.

This concludes the summary of the pending cases against Duncan. If you desire additional information or wish to discuss these matters further, please phone or write. Thank you.

Yours very truly,



RUSSELL G. VANROZEBOOM

RGV:lc  
cc: Tom Hinds

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MSDS for GL 611  
Ultra Clear GLAZE



MATERIAL SAFETY DATA SHEET

Identity

MSDS # 101

Duncan AN 300 Series; AR 600 and 700 Series; DN 802, 803, 805, 812, 815, 820, 821, 823, 824, 825, 830 and 831; GL 600 and 700 Series; GO 100 and 300 Series; SY 546; SY 553; SY 554; 20000 Series  
Duncan Dipping Glaze AR 600 and 700 Series; GL 600 and 700 Series

SECTION I

Manufacturer's Name

Duncan Enterprises

Address

5673 E. Shields Ave.  
Fresno, CA 93727

HMIS Codes

Health 3      Reactivity 0  
Fire 0        Protective Equip. F  
                  (if spraying)

Emergency Telephone Number

(209) 445-1222

Telephone Number

(209) 291-4444

Date Prepared

July 1987

Revised

May 1995

Prepared By

Scott Mattison

SECTION II  
HAZARDOUS INGREDIENTS

Hazardous Components	OSHA PEL	ACGIH TLV	CAS #	%
Silica, Crystalline-Quartz	1.5 mg/m <sup>3</sup>	1.0 mg/m <sup>3</sup>	14808-60-7	Up to 8

Frit is a fused silicate glass substance. The components of this glass product listed below are from the inventory of potentially hazardous substances referenced by FED/OSHA in 29 CFR 19.10.1200.

Components	OSHA PEL	ACGIH TLV
Lead compounds, as Pb	0.05 mg/m <sup>3</sup>	0.15 mg/m <sup>3</sup>
Barium compounds, as Ba	0.5 mg/m <sup>3</sup>	0.5 mg/m <sup>3</sup>

Other Information

Frits are produced from the chemical reactions which occur during the high temperature smelting of various raw materials to form a molten glass. This glass is rapidly cooled and then ground to produce powdered frit. The lead listed for this product is incorporated into the glass structure of the frit, chemically reacted in the form of silicates of other essentially insoluble complexes. Exposure to the hazardous ingredients can occur if spray mist is inhaled or glaze ingested and the ingredient dissolves out of the glass. Because of the chemical stability of frit and its resistance to attack by acids or alkali, this is anticipated to occur very slowly. This product contains the following component(s) that require reporting under Section 313 of the Emergency Planning and Community Right-to-Know Act, also known as Title III of SARA (the Superfund Amendments and Reauthorization Act), and 40 CFR Part 372:

COMPONENT	PERCENT PRESENT <sup>(a)</sup>
Lead compounds	Up to 28% (as PbO)
Barium compounds	Up to 5% (as BaO)

(a) The percent reported is based on the theoretical composition of this frit. While existing in theory, the component(s) mentioned are only present as part of FRIT (CAS #65997-18-4\*).

SECTION III  
PHYSICAL DATA

Boiling Point, (DEG°F)	212°F	Vapor Pressure, (MM HG.)	n/a
Melting Point, (DEG°F)	1800°F	Vapor Density (AIR=1)	n/a
Specific Gravity (Water=1):	1.7	Water Solubility, %	Insoluble
Appearance And Odor	Colored liquid, Odorless	Freezing Point	n/a
pH	n/a	Evaporation Rate (Butyl Acetate=1)	n/a

SECTION IV  
FIRE AND EXPLOSION HAZARD DATA

Flash Point (Method Used)	n/a	Flammable Limits	LEL n/a      UEL n/a
Extinguishing Media	n/a		

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**Special Fire Fighting Procedures**  
None. Will not burn.  
**Unusual Fire And Explosion Hazards**  
None.

**SECTION V**  
**REACTIVITY DATA**

<b>Stability</b>	<b>Unstable:</b>	<b>Stable: X</b>
<b>Conditions To Avoid</b>		
n/a		
<b>Incompatibility (Materials To Avoid)</b>		
da		
<b>Hazardous Decomposition or Byproducts</b>		
da		
<b>Hazardous Polymerization</b>	<b>May Occur:</b>	<b>Will Not Occur: X</b>
<b>Conditions To Avoid</b>		
n/a		

**SECTION VI**  
**HEALTH HAZARD DATA**

<b>Routes Of Entry</b>	<b>Inhalation? yes</b>	<b>Skin? no</b>	<b>Ingestion? yes</b>
<b>Health Hazards (Acute and Chronic)</b>	Overexposure to lead may cause nervous system, kidney or bone marrow damage or harm to the developing fetus.		
<b>Carcinogenicity</b>	<b>NTP? no</b>	<b>IARC Monographs? no</b>	<b>OSHA Regulated? no</b>
<b>Signs And Symptoms of Exposure</b>	Symptoms of overexposure to lead includes weight loss, stomach cramps, loss of coordination, joint and muscle pains.		
<b>Medical Conditions Generally Aggravated by Exposure</b>	Abrasive, can scratch eyes.		
<b>Emergency And First Aid Procedures</b>	Eye contact: Flush with water at least 15 minutes. Skin contact: Wash with soap and water.		

**SECTION VII**  
**PRECAUTIONS FOR SAFE HANDLING**

**Steps To Be Taken In Case Material Is Released Or Spilled**  
Clean up properly with paper towels and a wet sponge.

**Waste Disposal Method**  
Follow Federal, State, and Local regulations for disposal.

**Precautions To Be Taken In Handling And Storing**  
When using, do not eat, drink, or smoke. Wash hands immediately after use. Keep sealed. Keep out of reach of children.

**Other Precautions**  
Avoid using if pregnant or contemplating pregnancy.

**SECTION VIII**  
**CONTROL MEASURES**

**Respiratory Protection (Specify Type)**  
Use a NIOSH approved dust and mist respirator for lead such as 3m 8710 or equivalent.

**Ventilation**

<b>Local Exhaust</b>	<b>Special</b>
Recommended	Use respirator when spraying
<b>Mechanical (General)</b>	<b>Other</b>
Recommended when spraying	
<b>Protective Gloves</b>	<b>Eye Protection</b>
no	yes

**Other Protective Clothing Or Equipment**  
If in the glaze form and applying by spray, use spray booth and respiratory. Clean spray booth filters often.

**Work/Hygienic Practices**  
Wear protective clothing that is removed before eating, drinking, smoking, or leaving work. Wash thoroughly, immediately after spraying.  
If glaze spraying regular blood lead level testing is advisable.

**SECTION IX**  
**ADDITIONAL INFORMATION**

**CALIFORNIA PROPOSITION 65**  
other reproductive harm.

**WARNING:** This product contains chemicals known to the State of California to cause cancer, birth defects or

**CAUTION**  
**CONFORMS TO**  
**ASTM D-4236**

"Products bearing the Caution Label are certified to be properly labeled in a program of toxicological evaluation by a nationally recognized toxicologist. The products are certified by the toxicologist to be labeled in accordance with the chronic hazard labeling standard ASTM D-4236."

**DISCLAIMER** - Information presented herein has been compiled from sources considered to be dependable and is accurate and reliable to the best of our knowledge and belief but is not guaranteed to be so. Since conditions of use are beyond our control, we make no warranties, expressed or implied.

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*Mary*

03 DEC 1995

LABORATORY/COMPLIANCE SUMMARY

1. SAMPLE NO.  
T866-8682

2. LABORATORY SUMMARY  
PRODUCT: ULTRACLEAR GLOSS GLAZE

ANALYSIS:

TOTAL LEAD: Light Green 18.64 % by weight

**FILE COPY**

ORIGINAL: FOWR COPIES: CERM LSHL

3. NAME AND TITLE

Warren N. Porter, Jr.  
Director Health Sciences Laboratory

*Warren N. Porter, Jr.*  
*Director Health Sciences Laboratory*

DATE

November 29, 1995

5. COMPLIANCE CONCILIATIONS AND RECOMMENDATIONS:

FOR INFORMATION

NAME AND ID

DATE

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LABORATORY REPORT		1. PRODUCT ULTRACLEAR GLOSS GLAZE		2. SAMPLE NUMBER. T860-8682	
3. SEALS : <input checked="" type="checkbox"/> INTACT <input type="checkbox"/> BROKEN <input type="checkbox"/> NONE		4. DATE RCVD. 11-21-95		5. RECEIVED FROM storage room	
				6. LABORATORY LSHL	
7. DESCRIPTION OF SAMPLE		4 units of sample were received in a sealed plastic bag,. Seal had following information: "T860-8682, 10-13-95, Joy Rizzitello"  seal was broken by BKJ on 11-21-95			
8. LABELING reads in part: DUNCAN *** GL 611 ***ULTRACLEAR GLOSS GLAZE ** HARMFUL IF SWALLOWED *** WARNING: CONTAINS LEAD SILICATE *** 4 FL OZ (118 ML) *** Conforms to ASTM D-4236 ***					
9. LOT/BATCH/SERIAL NUMBER		N/A		10. NET CONTENTS N/A	
11. CONTAINER Jar with conventiona lid					
12. PRODUCT DESCRIPTION light green color glaze					
13. SUMMARY OF ANALYSIS  sample contains 18.64 % lead(wt./wt.)					
14. RESERVE SAMPLE 4 units were sealed in plastic bag and kept in storage room for warehouse pick-up.					
15a. ANALYST SIGNATURE <i>Shawna K. [unclear]</i>		15b. DATE 11-27-95		15c. HOURS	16. SPL. TYPE
17a. CHECK ANALYST SIGNATURE		17b. DATE		17c. HOURS	18. PROJECT
19a. REPORT CHECKED BY		19b. DATE		19c. HOURS	<b>38</b>
20a. REPORT SENT TO:		19b. DATE	ATTACHMENTS		
PAGE 1 OF T860-8682					

LABORATORY REPORT CONTINUATION SHEET

1. SAMPLE NUMBER.  
T860-8682

Procedure:

Small amount of glaze was dreied and weigh out accurately in test tube.

Aliquot#	color	Gross weight	Tare weight	Net weight glaze
1	light green	43.4652	- 43.4342	= 0.0310 gm
2	light green	43.1503	- 43.0970	= 0.0333 gm
3	NIST control	47.82124	- 47.80937	□ 0.01187 gm

Digestion:

The tubes containing glaze had 2.0 ml of conc. Nitric acid added and were heated at gentle reflux for 6 hours. After the cooling, the digest was transferred to a volumetric flask and diluted to 10.0 ml with distilled water.

Standard:

Standard of known Lead concentration were prepared by dilution of Fisher Reference standard of 1000 PPM (lot# 925795-24)

Working standard:

Standard	ml of primary standard	diluted to ml
1.0 ppm	0.1 ml	100 ml
5.0 ppm	0.5 ml	100 ml
10.0 ppm	1.0 ml	100 ml
25.0 ppm	2.5 ml	100 ml

Analysis:

Concentration of lead in aliquots were determined using Thermo Jarrel Ash ICP spectrometer. Following were the instrument conditions:

Torch gas flow: High flow                      Auxiliary gas flow: 1 liter / minute  
 Nebulizer pressure : 26 psi                      Wavelength : 220.353  
 Pump speed : 100                                      RF setting : 950

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2. ANALYST SIGNATURE

*Phanay K. J...*

Analysis: Concentration of Lead in aliquots were determined using Thermo Jarrell Ash ICP spectrometer.

Results & Calculations:

Aliquots	Description	ppm(measured)	ppm(actual)	dil.factor	% Lead
1.	glaze	12.03	11.59	500	18.69 %
2.	glaze	20.62	19.82	500	18.59 %
3.	NIST control	14.87	14.31	100	12.05 %

(a) ppm were determined from computer standard plot (attached)

(b) Dilution factor (F) = original digested dil(A) X (B/C) X (D/E)

C = ml of A diluted to B

D = ml of B diluted to E..... etc.

Comments:

Certified value of Lead in NIST control = 11.85 % (wt./wt.)

Method: JAL12      Sample Name: T860-8682  
Run Time: 11/22/95 10:15:12  
Comment: dil. factor 500  
Mode: CONC      Corr. Factor: 1

Elem      Pb2203  
Avge      12.03  
SDev      .03  
%RSD      .2199

#1      12.06  
#2      12.02  
#3      12.01

---

Method: JAL12      Sample Name: T860-8682  
Run Time: 11/22/95 10:15:12  
Comment: dil. factor 500  
Mode: CONC      Corr. Factor: 1

Operator: BKJ

Elem      Pb2203  
Avge      20.62  
SDev      .10  
%RSD      .4670

#1      20.59  
#2      20.73  
#3 ● ● 20.55

---

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Method: JAIN2

Sample Name: Conc: 1011-171

Element	Wavelength	High std	Low std	Slope	Y-intercept
Pb2203	220.353	10.11	Standards	1.699053	-1.003469

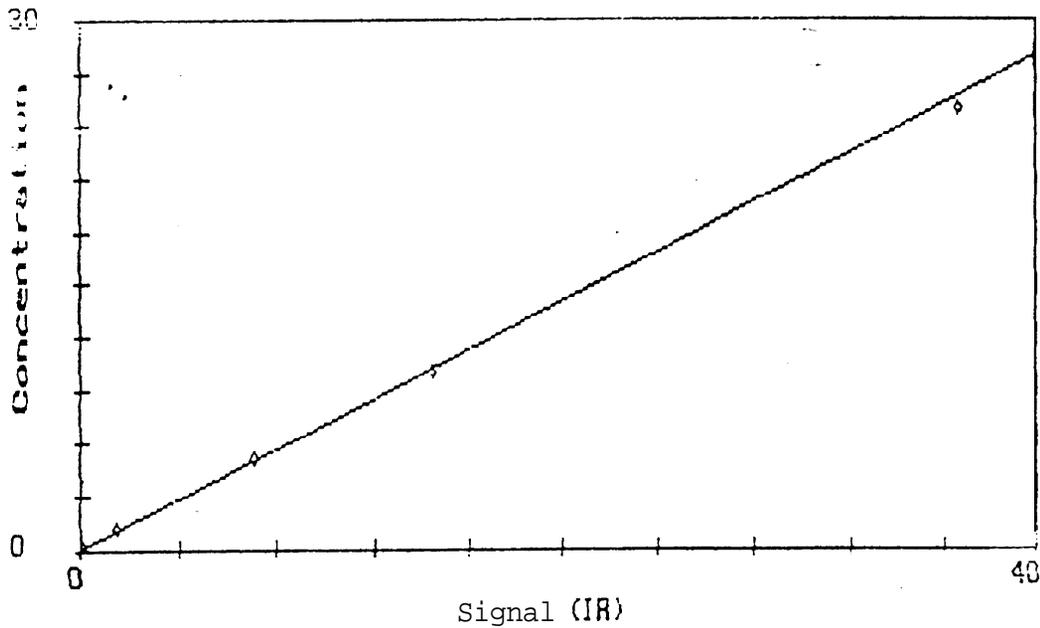
Method: JAIN2

Element: Pb2203

0.9421  
-1.061921

-77

Element: Pb2203



Method: JAIN2

Sample Name: NIST control

Operator: BKJ

Run Time: 11/22/95 10:18:26

Comment: dil. factor 100

Mode: CONC Corr. Factor: 1

Elem	Pb2203
Avg	13.87
SDev	.01
% RSD	.0518

#1	14.87
#2	14.87
#3	14.86

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ART  
11-22-06

REGRESSION ANALYSIS 11-22-06

standard	1	2	3	average	S.D
0	0.0092	0.0022	-0.0013	0.003367	0.004365
1	1.007	1.003	1.031	1.013667	0.012365
5	5.145	5.136	5.103	5.128	0.018055
10	10.24	10.22	10.29	10.25	0.029439
25	26.12	26	26.12	26.08	0.056569

Regression Output:

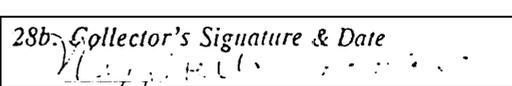
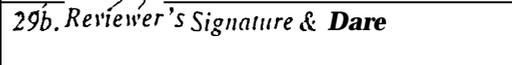
Constant	-0.06198
Std Err of Y Est	0.089744
R Squared	0.999947
No. of Observations	5
Degrees of Freedom	3

X Coefficient(s)	1.043535
Std Err of Coef.	0.004406

sample	ppm(measured)	ppm(actual)
# 1	12.03	11.58752
#2	20.62	19.81915
NIST control	14.87	14.30904

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U.S. CONSUMER PRODUCT SAFETY COMMISSION  
SAMPLE COLLECTION REPORT

<b>1. Flag</b>			<b>2. Date Collected</b> 9/28/95		<b>3. Sample type &amp; number</b> [ X ] Physical T-860-8682 [ ] Documentary	
<b>4a. Product Name</b> Ultraclear Gloss Glaze (ceramic)		<b>4b. Model</b> GL 611	<b>4c. NEISS</b> 0514	<b>5. Assignment Ref.</b> 950829CER3045		
<b>6. Complete for Import Samples</b> <b>a. Port of Entry :</b> <b>b. Entry # &amp; Date:</b> <b>c. Country of Origin:</b> <b>d. HSUSA Code :</b> <b>e. Customs Contact :</b>			<b>7. MIS</b> 33567	<b>S. Hours:</b> <b>a. Activity</b> [ 3 . 0 ] <b>b. Trawl</b> [ 0 ]		
			<b>Pa. Home RO</b> FOWR-SRO	<b>9b. Collecting RO</b> FOWR-SFRO		
<b>10. Sample Cost</b> N/C		<b>11. Invoice Value of Lot</b>			<b>12. Size of Lot</b>	
<b>13. Manufacturer</b> Duncan Enterprises 5673 E. Shields Ave. Fresno, CA 93727 <b>ID #</b>		<b>14. Foreign Mfr. of Frit 2701:</b> Ferro Mexicana Cables Fernam-Mex <b>ID #</b>			<b>15. Dealer</b> same as #13 <b>ID #</b>	
<b>16. Supporting documents attached:</b> <b>a. Invoice # &amp; Date:</b> 1477 dated 5/30/95 <b>b. Date Shipped:</b> 6/6/95 <b>c. Shipping Record # &amp; Date:</b> B/L #CFM036869 dated 6/6/95 <b>d. Affidavit Signer's Name, Title &amp; Date:</b> Thomas Hinds/VP/g-28-95						
<b>17. Product Identification:</b> Product is a jar of ceramic glaze labeled in part "DUNCAN GL 611 Ultraclear GLOSS GLAZE CAUTION CONFORMS TO ASTM-D-4236 *** 4 FL OZ *** WARNING: CONTAINS LEAD SILICATE. *** DUNCAN Fresno, CA 93727 Made in USA (209) 291-4444. Batch code stamped on bottom of jar states "89602". UPC number is "17754 91253".						
<b>18. Reason for Collection &amp; Analysis Needed:</b> FHSA [ X ] CPSA [ I ] FFA [ ] PPPA [ I ] RSA [ I ] Chemical Analysis						
<b>19. Summary of Field Screening:</b> none						
<b>20. Sample Size, Method of Collection:</b> Sample consists of 4 units collected from warehouse inventory. Sample identified as per item #21, placed in plastic bag with official seal, and sent to Health Sciences Lab via Sample Custodian. Sample in locked storage until officially sealed.						
<b>21. Identification on Sample :</b> "Sub 1...4 T-860-8682 10/13/95 JR"			<b>22. Identification on Seal:</b> "T-860-8682 10/13/95 Joy Rizzitello"			
<b>23a. Sample Delivered To:</b> UPS, San Francisco		<b>23b. Date</b> 10/13/95	<b>24. Orig. Report/Records Sent To:</b> FOWR-STRO			
<b>25. Laboratory/Office :</b> LSEL [ ] LSHL [XX] HSPS [ ] CRM [ ] CECA [ ] OTHER [ ]						
<b>26. Remarks:</b> official documentation - attd. MSDS, quantitative formula for glaze and main component part (Frit 2701) - attd.						
<b>27. Related Samples:</b> none						
<b>28a. Collector's Name, Title &amp; Employee #</b> Joy Rizzitello/Investigator/8953			<b>28b. Collector's Signature &amp; Date</b> 			
<b>29a. Reviewer's Name, Title &amp; Employee #</b> Jim DiGrazia/Supervisory Investigator			<b>29b. Reviewer's Signature &amp; Date</b> 			
<b>Distribution :</b> Original [ I ] Lab [ ] Fiscal [ ] Data [ ] Hdqtr [ ] Other [ ]						

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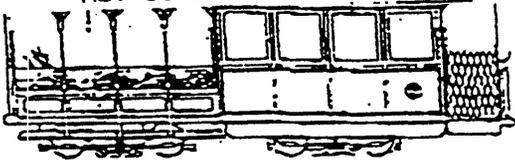
NOV-08-1995 10:39 FROM

CPSC/FOUR

TO

9-1-301 504 0359

P.01



SAN FRANCISCO CABLE CAR

U.S. CONSUMER PRODUCT SAFETY COMMISSION

WESTERN REGIONAL CENTER  
TELEPHONE (415) 744-2966  
FAX (415) 744-2962

DATE: 11-8-95

TO: M. TORO - CRM  
ORGANIZATION

FROM: L. PAIN  
ORGANIZATION

SUBJECT: DUNCAN ENTERPRISES  
ref: T-860-8682

NUMBER OF PAGES: 3 COVER

REMARKS: FYI & PER OUR TELECON. I  
WILL WAIT FOR TEST RESULTS ON  
8682 FOR LEAD CONTENT TO  
DETERMINE IF CHRONIC HAZARD  
Labeling IS REQUIRED FOR LEAD CONTENT.  
LHAMA Labeling OK.

Thanks!

TRANSMITTED BY: LP

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*LHP*

FIELD ACTIVITY COVERSHEET		
1 Region/State  FOWR/SFO	2 Operation (Check one) <input type="checkbox"/> Inspection <input type="checkbox"/> Telephone contact <input checked="" type="checkbox"/> Other: follow-up to inspection <input type="checkbox"/> Establishment visit <input type="checkbox"/> Investigation	3 Date 11/1/95  4 Number 950829CER3045
5 Establishment: Duncan Enterprises 5673 E. Shields Ave. Fresno, CA 93727 Telephone 209/291-4444		
6 Related firm <input type="checkbox"/> Parent <input type="checkbox"/> Headquarters <input type="checkbox"/> Subsidiary <input type="checkbox"/> Other		
7 Products covered GL 611 (ceramic glaze)		8 Other consumer products
9 Establishment Type <input checked="" type="checkbox"/> Manufacturer <input type="checkbox"/> Importer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Own label <input type="checkbox"/> Retailer <input type="checkbox"/> Repackager <input type="checkbox"/> Other		Production covered \$ _____ units _____ Products \$ _____ units _____
11 IS business \$ received _____ \$ shipped _____	12 Samples	14 Hours Activity 1.0 Travel
15 Reason for activity follow-up information received		
16 Announced <input type="checkbox"/> (Rationale for annou.) Unannounced <input type="checkbox"/>		
17 Employee's Name Joy Rizzitello, 8953	Ti. Investigator	Signature date <i>J. Rizzitello 11/1/95</i>
18 <input type="checkbox"/> Endorsement <input type="checkbox"/> Remarks <input type="checkbox"/> Summary <input checked="" type="checkbox"/> Other		
The law firm representing Duncan Enterprises has supplied information regarding two pending court actions. <u>McClendon V. Duncan</u> is known to CPSC and is the incident which prompted the recent inspection of firm. <u>Witt v. Duncan</u> - complaint filed 4/12/93 in West Palm Beach, FL - plaintiff and fetus suffered lead poisoning while using Duncan glazes and paints. Evidence suggests that she worked without taking proper safety precautions, and she may have abused alcohol and drugs. See attached letter dated 10/13/95 from Russell G. Vanrozeboom of the law firm Wild, Carter & Tipton, 246 West Shaw Ave., Fresno, CA 93704.		
19 Reviewer's Name James P. DiGrazia	Title Supervisory Investigator	Signature <i>J. DiGrazia</i>
20 Review Date 11-2-95	21 Distribution 0- SFRO [Complainant] cc: CRM cc w/s: LGC.	

*Send to file after you track on 10/25 - See for competitors*

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FIELD ACTIVITY COVERSHEET			
1 Region/State  FOUR/SFO	2 Operation (Check one) <input checked="" type="checkbox"/> Inspection <input type="checkbox"/> Establishment visit <input type="checkbox"/> Telephone contact <input type="checkbox"/> Investigation <input type="checkbox"/> Other _____		3 Date 9/28/95
			4 Number 950829CER3045
I Establishment <b>Duncan Enterprises</b>  5673 E. Shields Ave.  Fresno, CA 93727      Telephone 209/291-4444			
5 Related firm      Parent <input type="checkbox"/> Headquarters <input type="checkbox"/> Subsidiary <input type="checkbox"/> Other			
7 Products covered GL 611 (ceramic glaze)		8 Other consumer products	
9 Establishment Type <input checked="" type="checkbox"/> Manufacturer <input type="checkbox"/> Importer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Own label distributor <input type="checkbox"/> Retailer <input type="checkbox"/> Repackager <input type="checkbox"/> Other _____		10 Annual production Product covered \$ _____ units _____ Other products \$ _____ units _____	
11 IS business <input type="checkbox"/> shipped <input type="checkbox"/> received <input type="checkbox"/> shipped _____	12 Samples collected 7-800-8682	13 MIS code 33567	14 Hours Activity 8.0 Travel 4.0
15 Reason for activity F/U to consumer complaint - feels that product does not bear appropriate warning or ingredient information based on MSDS for the product.			
16 Announced <input checked="" type="checkbox"/> (Rationale for announced inspection) - distance traveled Unannounced _____			
17 Employee's Name Joy Rizzitello, 8953	Title Investigator	Signature date <i>J. Rizzitello</i> 10/13/95	
18 <input checked="" type="checkbox"/> Endorsement <input type="checkbox"/> Remarks <input type="checkbox"/> Summary <input type="checkbox"/> Other			
Inspection of this firm was conducted as a follow-up to CPSC indepth investigation of a lead poisoning associated with firm's ceramic glaze GL611, Clear. In that incident, a homeowner working in the home applied the product onto decorative masks. The homeowner's children suffered lead poisoning.  Inspection disclosed the firm is aware of the requirements under the HSA. All products comply with LHAMA. The ceramic glaze GL611, clear is labeled with warnings, including nor to spray, and principle hazardous ingredient <del>lead silicate</del> . The formulation was obtained. A sample was collected for CPSC testing. Follow-up dependent upon test results.			
19 Reviewer's Name James P. DiGrazia	Title Supervisory Investigator	Signature <i>J. DiGrazia</i>	
20 Review Date 10/16/95	21 Distribution 0: SFRO (Compliance) cc: CRM (Toro) cc c/s: LGC; LDB		